

09/767,031

- 2 -

Amendments to the Claims

Please cancel Claims 23 and 24. The Claim Listing below will replace all prior versions of the claims in the application:

Claim Listing

1. (Currently amended) A computer based method for providing gifts including transfers of assets from a donor to a receiving entity comprising the computer implemented steps of:
in a computer network, compiling donor investment portfolio data from each brokerage account associated with a subject donor investment portfolio;
using at least one computer in the computer network, analyzing the subject donor investment portfolio and identifying assets representing tax efficient gift transfers from a donor to a receiving entity, by
(i) calculating and displaying unrealized gain of each asset in the donor investment portfolio; and
(ii) for each asset in the subject donor investment portfolio, calculating and displaying estimated tax savings achievable by transferring the asset as a gift from the subject donor investment portfolio to the receiving entity; and
through a computer coupled to the computer network, enabling (i) donor selection of specific assets from the subject donor investment portfolio for transferring as a gift to the receiving entity, and (ii) donor authorization of the gift of the selected assets such that gift tax valuation of each donor selected asset is defined (a) as a function of moment of the donor authorization of the gift independent of transfer of each selected asset ~~to the receiving entity~~ and (b) as a result of an agency relationship with the receiving entity.
2. (Original) The method of Claim 1 wherein the receiving entity is a non-profit organization.
3. (Original) The method of Claim 2 wherein the non-profit organization is a donor advised organization.

09/767,031

- 3 -

4. (Original) The method of Claim 1 wherein the display is sorted by at least one of the calculated or displayed data items.
5. (Original) The method of Claim 1 wherein the display is grouped by each calculated or displayed data item into groups representing: individual lots, aggregation by asset, long-term gain or short-term gain.
6. (Previously presented) The method of Claim 1 further comprising the steps of:
 - enabling the donor to specify in terms of a dollar amount to transfer to the receiving entity; and
 - automatically selecting assets from the subject donor investment portfolio such that the current dollar value of the selected assets is substantially the same as the donor specified dollar amount to transfer.
7. (Previously presented) The method of Claim 1 further comprising:
 - electronically transferring cash to the receiving entity instead of assets from the subject donor investment portfolio if the donor-selected assets in the subject donor investment portfolio provide an estimated tax savings that is below a predefined threshold.
8. (Previously presented) The method of Claim 1 further comprising the step of:
 - repurchasing a substantially similar asset immediately upon transferring the donor-selected asset to the receiving entity.
9. (Previously presented) The method of Claim 8 wherein the repurchasing is accomplished by cross matching the repurchase of the substantially similar asset with the sale by the receiving entity of the donor-selected asset.

09/767,031

- 4 -

10. (Previously presented) The method of Claim 1 wherein the donor selection and a subsequent transfer of the asset are completely computer automated by:
 - predefining parameters for the selection, transfer and repurchase of assets;
 - automatically selecting specific assets from the subject donor investment portfolio for transferring based upon the predefined parameters; and
 - electronically transferring the selected assets to the receiving entity.
11. (Original) The method of Claim 10 further comprising the step of:
 - automatically repurchasing substantially similar assets immediately upon transferring the selected assets to the receiving entity.
12. (Original) The method of Claim 10 wherein the parameters include at least one of: a frequency of transfer value, an amount of transfer value, an asset allocation, and an identification of charities to which to transfer assets.
13. (Previously presented) The method of Claim 1 wherein the subject donor investment portfolio is maintained through a qualified retirement plan.
14. (Currently amended) A computer based method of transferring assets as gifts from a donor to a receiving entity comprising the computer implemented steps of:
 - in a computer network:
 - (a) controlling price at which an asset is given as a gift from a donor to a receiving entity by:
 - (i) enabling the donor to select an asset to transfer to the receiving entity, the selected asset forming a desired transfer; and
 - (ii) enabling the donor to predefine a time or conditions under which the desired transfer is to occur, the donor predefining the time or conditions of the desired transfer including selecting an asset transfer timing technique;
 - (b) determining for the donor, gift tax efficiency of the desired transfer as of the donor predefined time, the gift tax efficiency being determined (a) as a function of dollar value of the donor selected asset as of the donor predefined time of the desired

09/767,031

- 5 -

transfer, independent of physical transfer of the asset, and (b) as a result of an agency relationship with the receiving entity; and

(c) at the donor predefined times automatically initiating the desired transfer by electronically effecting an instant transfer of the donor selected asset as a gift to the receiving entity according to the selected asset transfer timing technique.

15. (Previously presented) The method of Claim 14 wherein the asset transfer timing technique is one of the following:
 - a market order at a specified date and time;
 - a limit order allowing the donor to establish the value at which the selected asset is transferred to the receiving entity;
 - a short, call option or put option allowing the receiving entity to fix the minimum value of the selected asset that is being transferred by the donor;
 - a stop, stop limit or stop loss order;
 - a day order;
 - a good-till-canceled order;
 - an all-or-none order;
 - a fill-or-kill order;
 - an immediate-or-cancel order;
 - a minimum-quantity order; and
 - a do-not-reduce order.
16. (Previously presented) The method of Claim 15 further comprising the step of:
 - enabling the receiving entity to immediately instruct a broker to sell the selected asset at substantially the same transfer timing price selected by the donor.
17. (Original) The method of Claim 14 further comprising the step of:
 - creating a list of donor assets;
 - monitoring the list of donor assets; and
 - electronically sending an indication to the donor when the asset price of an asset on the list of assets reaches a predefined price.

09/767,031

- 6 -

18. (Previously Presented) The method of Claim 14 further comprising the computer implemented step of instantaneously recording a tax deduction that the donor will receive for transferring the donor selected asset to the receiving entity, including recording an exact price of the asset at the time the asset is transferred to the receiving entity.
19. (Original) The method of Claim 18 wherein the exact price of the asset is calculated using the average of the bid price and ask price at the time the asset is transferred to the receiving entity.
20. (Previously presented) The method of Claim 18 wherein the exact price of the asset is calculated using the value of the last trade completed before the desired transfer was initiated.
21. (Previously presented) The method of Claim 18 further comprising the step of:
allowing the donor to specify the recommended time interval, or price, at which the asset is to be sold by the receiving entity after the desired transfer is complete.
22. (Previously presented) The method of Claim 18 wherein the tax deduction value is selectable using one of the following methods:
the asset price at the time of the desired transfer; or
the average of the asset's high price and the asset's low price for the day.
23. (Cancelled)
24. (Cancelled)
25. (Previously presented) The method as claimed in Claim 1 further comprising the computer-implemented steps of:
identifying a proxy organization having a relationship to the receiving entity
allowing the proxy organization to receive an asset transfer on behalf of the receiving entity;

09/767,031

- 7 -

representing the proxy organization to the donor such that the donor may not be aware that the proxy organization is receiving the donor selected assets on behalf of the receiving entity;

receiving each donor-selected asset transferred from the subject donor investment portfolio to the proxy organization;

for each donor-selected asset, electronically transferring from the proxy organization to the receiving entity either the asset or cash proceeds from sale of the asset by the proxy organization; and

issuing to the donor a tax receipt for each user-selected asset in the name of the receiving entity.

26. (Original) The method of Claim 25 wherein the proxy organization guarantees that the received asset or the cash proceeds from the sale of the asset will always be transferred to the receiving entity.

27-40. (Cancelled)

41. (Withdrawn) A computer based method for providing gifts including transfers of assets from a donor to a receiving entity comprising the computer implemented steps of:
- through a computer coupled to a network of computers, enabling donor selection of assets from a subject donor investment portfolio for transferring as a gift to a receiving entity; and
 - enabling donor authorization of the gift of the selected assets such that tax valuation of each donor selected asset is defined (i) as a function of moment of the donor authorization of the gift independent of transfer of each selected asset to the receiving entity and (ii) as a result of an agency relationship with the receiving entity.

09/767,031

- 8 -

42. (Withdrawn) The method of Claim 41 further comprising the steps of:
enabling the donor to specify in terms of a dollar amount to transfer to the receiving entity; and
automatically selecting assets from the subject donor investment portfolio such that the current dollar value of the selected assets is substantially the same as the donor specified dollar amount to transfer.
43. (Withdrawn) The method of Claim 41 further comprising:
electronically transferring cash to the receiving entity instead of assets from the subject donor investment portfolio if the donor-selected assets in the subject donor investment portfolio provide an estimated tax savings that is below a predefined threshold.
44. (Withdrawn) The method of Claim 41 further comprising the step of:
repurchasing a substantially similar asset immediately upon transferring the donor-selected asset to the receiving entity.
45. (Withdrawn) The method of Claim 44 wherein the repurchasing is accomplished by cross matching the repurchase of the substantially similar asset with the sale by the receiving entity of the donor-selected asset.
46. (Withdrawn) A computer system for transferring an asset as a gift from a donor investment portfolio to a receiving entity using a computer network, comprising:
a computer interface coupled to the computer network to enable donor selection of assets from a subject donor investment portfolio for transferring as a gift to a receiving entity; and
a system program operating with the computer network to enable, in response to the donor selection, donor authorization of the gift of the selected assets such that tax valuation of each donor selected asset is defined (i) as a function of moment of the donor authorization of the gift independent of transfer of each selected asset to the receiving entity and (ii) as a result of an agency relationship with the receiving entity.

09/767,031

- 9 -

47. (Withdrawn) The system of Claim 46 wherein the computer interface enables the donor to specify in terms of a dollar amount to transfer to the receiving entity, and the system program automatically selects assets from the subject donor investment portfolio such that the current dollar value of the selected assets is substantially the same as the donor specified dollar amount to transfer.
48. (Withdrawn) The system of Claim 46 wherein the system program causes an electronic transfer of cash to the receiving entity instead of assets from the subject donor investment portfolio if the donor-selected assets in the subject donor investment portfolio provide an estimated tax savings that is below a predefined threshold.
49. (Withdrawn) The system of Claim 46 wherein the system program causes a repurchase of a substantially similar asset immediately upon transferring the donor-selected asset to the receiving entity.
50. (Withdrawn) The system of Claim 49 wherein the repurchase is accomplished by cross matching the repurchase of the substantially similar asset with the sale by the receiving entity of the donor-selected asset.